

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8732 of 2023

Petitioner :- Jairam

Respondent :- State Of U.P. Thru. Prin. Secy. Home Civil Sectt. Lko And Others

Counsel for Petitioner :- Saquib Zia Khan, Praveen Kumar Yadav

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner, learned AGA who appears on behalf of State-respondent and perused the record.

This writ petition has been filed praying the following main reliefs:

"a) Issue a writ order or direction in the nature of mandamus directing the respondents to conduct fair, impartial and expeditious investigation with respect to FIR dated 05.02.2023, bearing Case Crime No48 of 2023, U/s- 279, 304A, 337,338,427 IPC Police Station Hazratganj, District Lucknow, which is annexed as Annexure No. 1 to this writ petition.

b) Issue a writ or direction in the nature of mandamus directing the Respondent No 2 to transfer investigation of the instant case from Police Station Hazratganj to some other police station or

c) Issue a writ or direction in the nature of mandamus directing the respondent NO. 1 to transfer the investigation of the instant case from police to some other specialized agency like CBCID."

It has been submitted by the learned counsel for the petitioner that the petitioner's son Akshay was murdered. The petitioner lodged an FIR against unknown person. Later on, the names of certain persons came into light. The Investigating Officer has not conducted fair investigation, therefore, the instant writ petition has been filed with the aforesaid prayers. It has further been submitted that the petitioner has also made a representation in this regard to the Commissioner of Police, Lucknow, copy of such representation has been filed as Annexure-4 to the petition.

In view of the aforesaid, this petition is disposed of with a direction to the opposite party no. 2 to look into the grievance of the petitioner and pass an appropriate order within a period of six weeks from today.

It is made clear that this Court has not expressed any opinion on the merits of the case and the competent authority to act in accordance with law.

Order Date :- 9.11.2023
AKK